

**Appeal to deny a Use Permit to construct a Cellular Phone Tower
at St. Luke's Church at 1025 The Dalles, Sunnyvale, California**

We, the residents in the neighborhood adjacent to St. Luke's are requesting you to reconsider the decision of the Planning Commission and deny the Use Permit to build a 60 or 65 foot tower to camouflage several cellular phone transmission antennae. It is our opinion, the project violates many of the fundamental requirements and ideals outlined in Chapter 19.54 "Wireless Telecommunication Facilities".

The City has made clear in Chapter 19.54 "Wireless Telecommunication Facilities" that these towers should minimize the visual impact to the surrounding areas, in particular, R1 zoned areas. In section 19.54.040. Design requirements, paragraph (p) states "The facility shall not be readily visible to the nearest residentially zoned property"; however, in the report prepared by the City's Planning Department, it clearly states that, "This project will be visible from the surrounding properties", which is in opposition of the City's own guidelines. The quote is from page 14 of 16 of the Environmental Checklist.

The newly proposed tower will not replace the current church tower that is already located at St. Luke's. Not a single church in the area has two free standing towers located on its site and this is a significant departure from the "conventional" layout of churches in the area. At the Planning Commission Meeting on October 25, 2004, the applicant admitted that this was not their first choice for a location of the tower.

They first considered the location at the Fremont Ave and Wright Ave but was not pursued due to the current height of existing buildings (office, medical, convalescent care, etc.), all of which are as tall as those surrounding the proposed site at the church property, and this site would not be as visible to nearby residents. The second site considered was the Cupertino Middle School at Bernardo and Homestead, possibly using the existing light poles or adding a new pole. There was no technical reason as to why this site was not pursued and chosen. The reason given was that the city told Mr. Yee, the applicant, that it was, as stated at the meeting, not followed because it would require approval from both the Sunnyvale City Council and the Cupertino Union School Districts Board of Education and also that the City would not approve antennae located on the high light poles. Perhaps Mr. Yee misunderstood the facts and he then approached the Church with this plan.

We suggest that the Middle school site be further considered as the location for these antennae. The line of sight to Highway 85, which the applicant has admitted is the primary market they are trying to serve, and there are no residences anywhere near the existing light poles. They are existing structures and no one should complain that they will impact or alter their views from what currently exists. An additional benefit would be the revenue to the Cupertino Union School District from AT&T for the use of the property.

Another possible location could be at the NW corner of Bernardo and Fremont. There is an existing tall tower with several exposed antenna pointing in all directions. Another pole could be erected near the current one to cover the desired area for AT&T.

As a last point, is the necessity for this installation still required with Cingular's acquisition of AT&T? AT&T subscribers will now be able to use Cingular towers that are currently within the area. How does the joining of these two companies impact the need for this new tower? Should new towers be constructed until issues like these are in a "master plan" for wireless transmission facilities?

Thank you for your consideration of our objections to the installation of the wireless transmission tower at 1025 The Dalles, St. Luke's Church, under the current proposed conditions and we hope you find them adequate for denial of a Use Permit.

Sincerely,
The residents in the neighborhood adjacent to St. Luke's

Attached: List of residents in the neighborhood

ATTACHMENT 1
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 signed 2 times
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I wish to join the Appeal to Deny the Use Permit to build an additional Church Tower to camouflage a Wireless Transmission Facility at St. Luke

Name	Address	Phone Number
✓ Debra Manier	1413 WRIGHT AVE	735-1244
✓ KAREN SHANK	1425 Wright Ave	745-8884
✓ MALLESLAR MANDA	1466 Wright Ave	650-279-5452
✓ Mary Walker	990 Chehalis Dr	736-3308
✓ J. H. Penney	1031 ENDERBY WAY	408 (739) 7783
✓ Christine Bennett	1344 Enderby way	408 (732) 9114
✓ Perry - Morales	1001 Enderby Way	739-9471
✓ Sachiko Sugimoto	1456 Cloverdale Ct	408 245-8421
✓ Eli Dixon	1462 Cloverdale Ct	408 774 1603
✓ Mary Linkin	1474 Cloverdale Ct.	408 774 9934
✓ Robert A. Ferrer	1467 Cloverdale Ct	408 738 6938
✓ FRANCES E. NAPIER	1461 CLOVERDALE CT	408-245-9771
✓ WILLIAM LEWIS	1056 ENDERBY WAY	736-2526
✓ Andy Bates	1036 THE DATES AVE	408-748-1861
✓ Christopher Rosenthal	1437 Wright Ave	408-730-9344

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I wish to join the Appeal to Deny the Use Permit to build an additional Church Tower to camouflage a Wireless Transmission Facility at St. Luke Lutheran Church.

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